

Atty. Dkt. No. 355491-1253

*SPW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Christopher D. ROBERTS et al.  
Title: NUCLEOSIDE DERIVATIVES  
FOR TREATING HEPATITIS C  
VIRUS INFECTION  
Appl. No.: 10/821,638  
Filing Date: 4/8/2004  
Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
<i>Rene Campos</i> (Printed Name)	
<i>Rene Campos</i> (Signature)	
2-10-05 (Date of Deposit)	

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents for filing in the above-identified application.

1. Second Information Disclosure Statement (2 pgs.);
2. PTO Form 1449 (1 pg.);
3. One (1) references as cited on Form 1449 as B1; and
4. Return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Feb 10 2005

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1105  
Facsimile: (650) 856-3710

By Julie L. Heinrich  
Julie L. Heinrich  
Agent for Applicant  
Registration No. 48,070



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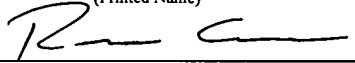
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(Signature)  
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**SECOND INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date Feb 10 2005

By



Julie L. Heinrich  
Agent for Applicant  
Registration No. 48,070

FOLEY & LARDNER LLP  
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Facsimile: (650) 856-3710

Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 355491-1253		SERIAL NO. 10/821,638	
I P E FEB 16 2005 PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		APPLICANT		Christopher D. ROBERTS et al.			
		FILING DATE		GROUP ART UNIT			
		4/8/2004		To Be Assigned			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
							YES
	B1	WO/2004/065398	8/5/2004	PCT			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED			
<p>* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.</p>							